GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA

UNSTARRED QUESTION NO:620
ANSWERED ON:03.03.2008
LACK OF FACILITIES IN ESIC
Ajaya Kumar Shri S.

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether the Government has formulated an amnesty scheme for withdrawal of cases against defaulting employers and employees under Employees State Insurance Corporation (ESIC);

(b) if so, the details thereof;

(c) whether complaints have been received regarding lack of proper medical treatment to beneficiaries in ESIC hospitals due to paucity of facilities and medicines;

(d) if so, the details thereof and the reaction of the Government thereto; and

(e) the remedial steps taken by the Government in this regard?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI OSCAR FERNANDES)

(a) & (b): The Employees' State Insurance Corporation has formulated an Amnesty Scheme for withdrawal of cases against defaulting employers and employees. The New Amnesty Scheme will be in force from 1st January, 2008 to 31st December, 2008 and will also be available to those employers /insured persons who have already availed of the benefits of earlier Amnesty Schemes. The details of the Scheme are furnished at Annexure.

(c) to (e): Some complaints/suggestions for improvement in the medical facilities are received from time to time. The action taken for improvement of medical facilities in Employees` State Insurance Hospitals are as under:
1. Modernization & upgradation of hospitals by providing modern equipments for diagnostic and clinical services. To facilitate early sanction of equipments for hospitals, Senior State Medical Commissioners/State Medical Commissioners have been delegated powers to sanction equipments up to Rs.15 lacs per unit at the State level itself. The ESI Corporation has increased the ceiling for providing medical care from Rs.900/- to Rs.1,000/- per Insured Person (IP) family unit per annum w.e.f. 01.04.2007 to enable State Governments to improve medical services in ESI Hospitals. Besides this, an additional incentive of Rs.50/- per I.P. per family unit is offered to the State Govt. on fulfilling stipulated terms and conditions for improvement of medical scheme.
3. Apart from this, the ESI Corporation is incurring entire expenditure on construction/ repair and maintenance of hospital buildings at its sole cost and sharing expenditure on equipments costing above Rs. 25,000/- per unit outside the ceiling.
4. The ESI Corporation has introduced the Scheme of Revolving Fund for providing advance/ reimbursement for super speciality/ speciality treatment, purchase of drugs and dressings and purchase, repair and maintenance of equipments.
5. Tie-up arrangements have been made with other reputed Govt./non-Govt. hospitals for providing super speciality/speciality services, which are not available in ESI hospitals.
6. For ensuring regular supply of medicines, the ESI Corporation formulates rate contracts for allopathic and ayurvedic drugs and the same are sent to all State Governments for procurement of medicines.
7. The ESI Corporation has got seven ESIC Hospitals graded by professional agencies and the process for grading of other ESIC hospitals also has been initiated.
8. The ESI Corporation is in the process of obtaining ISO 9001-2000 certification for its hospitals. One ESI hospital and one ESI dispensary in Delhi has already been granted ISO Certification.
9. The ESI Corporation is encouraging computerization and incurs total expenditure on provision of computers to ESI hospitals.

ANNEXURE

ANNEXURE REFERRED TO IN REPLY TO PARTS (a) & (b) OF LOK SABHA UNSTARRED QUESTION NO. 620 FOR 03.03.2008 BY SHRI S. AJAYA KUMAR REGARDING LACK OF FACILITIES IN ESIC

1. Cases filed against the Insured Persons under Section 84 of ESI Act :-

Prosecutions filed against the IPs under Section 84 of the ESI Act for giving wrong declarations resulting in excess payment to him/her may be withdrawn subject to the condition that −

i) Entire amount paid in excess to the IP is refunded in full by him/her to the Corporation.

ii) An undertaking is also given by IP to the effect that he/she would not give wrong declaration in future.

2. Cases filed against the Employers under Section 85 and 85-Aof ESI Act :-

All the prosecution cases filed against the employers under Section 85 and 85-A of the ESI Act upto 31st December, 2007 may be withdrawn subject to the conditions :-

i) The employer shall pay both the Employees' and Employers' share of contribution in full for the period under prosecution and he shall comply with other provisions of the Act.

ii) The interest due for the period of prosecution is paid in full by the employer.

iii) The employer shall pay 25% of the damages levied or leviable for the period of prosecution.

iv) The employer shall also furnish an undertaking to the Corporation to the effect that he/she shall be regular in compliance with the provisions of ESI Act in future or else he/she shall forfeit the right to avail of such Amnesty Scheme.

3. Cases filed by employers under Section 75 of the Act.

The Amnesty Scheme shall also include those cases in which the employer has disputed the coverability or determination of contribution in the Employees' Insurance Court, under Section 75 of the Act subject to fulfillment of the following conditions:

i) The employer shall pay both the Employees' and Employers' share of contribution in full for the period under litigation and he shall comply with other provisions of the Act.

ii) The interest due for the period of litigation is paid in full by the employer.

iii) The employer shall pay 25% of the damages levied or leviable for the period of litigation.

iv) The employer shall also furnish an undertaking to the Corporation to the effect that he/ she shall be regular in compliance with the provisions of ESI Act in future and there shall be no default on their part in any subsequent period.